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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Jason Crews,

10 Plaintiff,

11 v.

12 Rosewood Realty LLC, et al.,

13 Defendants.  
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No. CV-24-00778-PHX-DLR

**ORDER**

15 This matter recently has come before the Court.

16 **IT IS ORDERED** as follows:

17 1. Motions to dismiss under Federal Rule of Civil Procedure 12(b)(1)-(3) & (6)-(7),  
18 motions for judgment on the pleadings under Rule 12(c), and motions to strike under Rule  
19 12(f) are discouraged if the perceived defect(s) that would be the subject of the motion can  
20 be cured in any part by filing an amended pleading. The parties therefore must confer  
21 before the filing of any motion under Rules 12(b)(1)-(3) & (6)-(7), 12(c), or 12(f) to  
22 determine whether it can be avoided. **The duty to confer also applies to parties**  
23 **appearing without an attorney.** If such a motion is filed, it must be accompanied by a  
24 notice certifying the parties conferred in good faith and were unable to agree the pleading  
25 is curable by a permissible amendment. Motions not accompanied by the required  
26 certification will be stricken.

27 2. If the parties are unable to agree the pleading is curable in any part and a motion  
28 to dismiss or for judgment on the pleadings is filed, and if in response to that motion the

1 non-moving party asks the Court for leave to amend, the non-moving party must at that  
2 time submit a proposed amended pleading that complies with Local Rule of Civil  
3 Procedure 15.1(a) and contains all further allegations the non-moving party could make. In  
4 the event the motion to dismiss or for judgment on the pleadings is granted in any part, no  
5 leave to amend the complaint will be granted beyond what is offered by the non-moving  
6 party in the proposed amended complaint.

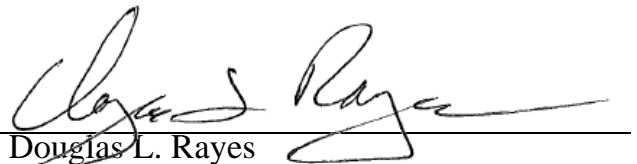
7 3. The parties shall endeavor not to oppose motions to amend filed prior to the  
8 Scheduling Conference or within the time for amending pleadings and joining parties set  
9 forth in the Rule 16 Scheduling Order.

10 4. Any party appearing without an attorney shall comply with the Local Rules and  
11 the Federal Rules of Civil Procedure. Such parties are advised of the free Self-Service  
12 Clinic at the Phoenix courthouse. For information on the clinic and the Handbook for Self-  
13 Represented Litigants, visit the Court's internet site at [www.azd.uscourts.gov](http://www.azd.uscourts.gov). Proceed to  
14 the box entitled Information for *Those Proceeding Without an Attorney* and then the link  
15 entitled Federal Court Self-Service Clinic-Phoenix.

16 5. Plaintiff shall serve a copy of this Order upon Defendant and file notice of service  
17 with the Court.

18 Dated this 10th day of April, 2024.

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Douglas L. Rayes  
United States District Judge